



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

MORRIS E. SMITH ET AL.

DOCKET NO.: 3244

CUSTOMER NUMBER: 26645

SERIAL No.: 10/662.706

EXAMINER: DAVID SORKIN

FILED: 09/15/2003

GROUP ART UNIT: 1723

TITLE: METHOD TO BLEND TWO OR MORE FLUIDS

Wickliffe, Ohio

Dated: August 5, 2005

Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the office action dated June 27, 2005, Applicant elects with traverse, to proceed with the examination of Group I, claims 1-10 and 15, drawn to a method of blending two or more fluids by continuously adjusting flow rate.

Applicant respectfully traverses the restriction requirement. Applicant contends that Groups I and II are not directed to independent and distinct subject matter. Group I is directed to method of blending two or more fluids by continuously adjusting the flow rate, while Group II is drawn to apparatus for blending two or more fluid components. The claims of Group I and II contain similar key limitations to blending two or more fluids. The claims in Group II define components that are in the claims of Group I. Accordingly, any search and examination as to the patentability of Group I will necessarily consider the inclusion of the limitations to the apparatus for use blending two or more fluids. Accordingly, it is respectfully requested that the restriction requirement be withdrawn, at least as regards Group I and II and that the corresponding claims be examined together.

I certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on

August 5, 2005
Date of Deposit

By: Terri Pecjak
Terri Pecjak

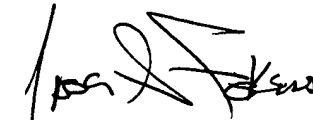
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If for any reason the Examiner believes that a telephone conference would expedite the prosecution of this application, I can be reached at the telephone number listed below.

Any required fees or any deficiency or overpayment in fees should be charged or credited to The Lubrizol Corporation Deposit Account No. 12-2275.

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Respectfully submitted,
THE LUBRIZOL CORPORATION

A handwritten signature in black ink, appearing to read 'Jason S. Fokens', is written over a vertical line.

Jason S. Fokens
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